

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
BERGE-1

In Re Application Of: **Berge et al.**

#3

Serial No.
09/529,193

Filing Date
4/6/2000

Examiner

Group Art Unit

Title:

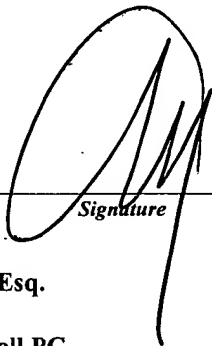
VARIABLE FOCUS LENS
TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

PCT Declaration and Power of attorney;
assignment and recordation cover;
Petition for one month extension of time;
Copy of form PCT/DO/EO/905; Verified statement claiming small entity status;
Check in the amount of \$160; postcard.

in the above identified application.

- ☐ No additional fee is required.
☒ A check in the amount of **\$160.00** is attached.
☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **50-1057**
as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of
☒ Credit any overpayment.
☒ Charge any additional fee required.

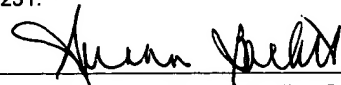


Signature

Arthur L. Plevy, Esq.
Reg. No. 24, 277
Buchanan Ingersoll PC
650 College Road East
Princeton, NJ 08540

Dated: **July 20, 2000**

I certify that this document and fee is being deposited
on **July 20, 2000** with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.



Signature of Person Mailing Correspondence

Susan Barlett

Typed or Printed Name of Person Mailing Correspondence

CC:

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **BERGE**International Application No.
PCT/FR98/02143International Filing Date: **10/7/98**U.S. Serial No.: **09/529,193**Filing Date: **April 6, 2000**For: **VARIABLE FOCUS LENS**Box PCT
Honorable Commissioner of
Patents and Trademarks
Washington, DC 20231Atty. Dkt: **BERGE-1**I hereby certify that this correspondence and/or fee
is being deposited with the United States Postal Service
as first class mail in an envelope addressed to:
Commissioner of Patents and Trademarks, Washington,D.C. 20231, on 7-20-00
Date: July 20, 2000 (Date of Deposit)*[Signature]*
(Date)**RESPONSE TO "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)"**

Dear Sir:

Pursuant to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) received and dated May 22, 2000, enclosed please find:

1. Declaration and Power of Attorney for patent application, signed May 5, 2000; May 5, 2000 by inventors;
2. Assignment from Inventors to UNIVERSITE JOSEPH FOURIER dated May 31, 2000; May 31, 2000 with Patent Office cover sheet;
4. Petition for a one-month extension of time under 37 C.F.R. 1.17(a);
5. Copy of Form PCT/DO/EO/905 (December 1997);
6. Verified Statement Claiming Small Entity Status;

07/26/2000 ERI:ANDD 00000010 09529193

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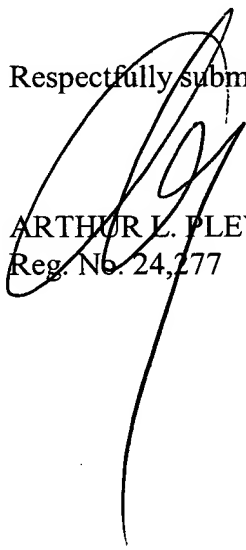
65.00 09

7. Check No. 2330 for \$160.00 which includes:

- A) \$40.00 Assignment recording fee;
- B) \$55.00 for 1-month extension of time;
- C) \$65.00 for filing late declaration.

If there are any other fees due and owing, please charge Deposit Account No. 50-1057.

Respectfully submitted,


ARTHUR L. PLEVY
Reg. No. 24,277

BUCHANAN INGERSOLL PC
650 College Road East
Princeton, NJ 08540
609-987-6880

09/529 193



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

#2

U.S. APPLICATION NO. 09/529 193	33	REFUGE	FIRST NAMED APPLICANT	ATTY. DOCKET NO. REFUGE-1
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ARTHUR L PLEVY
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5611

INTERNATIONAL APPLICATION NO.

PCT/FR98/02143

I.A. FILING DATE

PRIORITY DATE

10/07/98

10/08/97

05/22/00

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

☒ a non-English language.

☐ English.

☒ Translation of the international application into English.

☐ Oath or Declaration of inventors(s) for DO/EO/US.

☐ Copy of Article 19 amendments.

☐ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☐ Preliminary amendment(s) filed 6/22/00 and 6/22/00

☒ Information Disclosure Statement(s) filed 16 APR 2000 and 6/22/00

☐ Assignment document.

☐ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$_____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

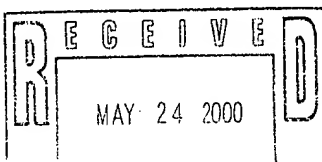
A copy of this notice MUST be returned with this response.

Enclosed: ☒ PCT/DO/EO/917 ☐ Notice of Defective Translation
☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

Telephone: (703)

Paula Kildwell
National Stage Processing
Paralegal Specialist
(703) 305-3356 3656



Excelon 5/25/00 CF 105/25/
6/22/00 file missing
parts
6/1/2000 Reminder
→ SB